IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

WP(C).No. 11393 of 2004(F)

PETITIONER:

DR.SEETA PHILIP, W/O. P.J.JOSHUA,
AGED 33 YEARS, VETTIKKATT THAZHAM,
CHATHANNOOR P.O., KOLLAM-691 572.

BY ADV. SRI.K.P.DANDAPANI

RESPONDENTS:

THE KERALA PUBLIC SERVICE COMMISSION,
PATTOM PALACE P.O., THIRUVANANTHAPURAM-695 004,
REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/05/2007, ALONG WITH WPC NO. 11828 OF 2004 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 11393/2004 F

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SHOW CAUSE NOTICE DT. 15/12/2003 FROM THE KPSC TO THE PETITIONER.

EXT.P2. COPY OF THE REPLY DT. 23/12/2003 FROM THE PETITIONER TO THE SECRETARY KPSC.

EXT.P3. COPY OF THE JUDGMENT DT. 7/1/2004 IN WPC NO. 435/2004 OF THIS COURT.

EXT.P4. COPY OF THE ARGUMENT NOTES DT. 11/3/2004 BY THE PETITIONER BEFORE THE SECRETARY, KPSC.

EXT.P5. COPY OF THE RANKED LIST FOR THE POST OF MEDICAL OFFICER (HOMOEO) IN THE HOMOEOPATHY DEPARTMENT, PUBLISHED BY THE PSC, VIDE NO. 54/2004/SSV.

EXT.P6. COPY OF THE MEMO ISSUED BY THE RESPONDENT TO THE PETITIONER, VIDE NO. E.R. 7/736/03/E.W. 1 DT. 14/5/2004.

True copy

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ANTONY DOMINIC, J.

W.P.(C) NOS. 11393 & 11828 OF 2004

Dated this the 19th day of February, 2007

O R D E R

When these writ petitions came up for final hearing before this court today, counsel for the petitioners submitted that the subject matter of these writ petitions have been decided in their favour in the case of **Ajayan v. State of Kerala** reported in 2006(3) KLT 854. Standing counsel for the Public Service Commission points out that against the judgment of the Division Bench, special leave petitions have already been filed and leave has been granted by the Hon'ble Supreme Court. It is said that the petition seeking stay of the above judgment of the Division Bench will be getting listed shortly, once service of notice is complete. In view of the above reason, he makes a request for adjourning the case by three weeks.

2. The counsel for the petitioners vehemently oppose this request mainly on the ground that the list in which the petitioners are included is expiring on 15th of March 2007. This submission of the counsel for the petitioners is refuted by the standing counsel

of the P.S.C on the ground that according to him the main list is already exhausted.

3. Be that as it may, taking into account the fact that leave has already been granted by the Hon'ble Supreme Court I adjourn the case to 2/3/07 taking into account the fact that according to the counsel for the petitioners list is expiring on 15/3/07. If no order of stay of the judgment is obtained in the meanwhile, these cases will be heard and disposed of.

Post these cases on 2/3/2007 on top of list for disposal.

ANTONY DOMINIC, JUDGE

Rp